



How to change restrictive laws

Different strategies to legalize abortion:

The Swiss Example

*Anne-Marie Rey, ex-president of
Swiss Union for Decriminalizing Abortion / USPDA
(organization dissolved in 2003)*



Outline

Situation at start of campaign

30 years of campaigning

Achievements

Successful strategies used

Other reasons for our success

Conclusion



Situation at start of campaign

1942 Swiss penal code takes effect

- abortion allowed for health reasons only
- 2 doctors decide

1970 unbearable situation

- regional disparities in application of the law
 - *abortion tourism from restrictive to liberal parts of the country and abroad*
- 20'000 clandestine abortions estimated
- 100 women condemned annually

1971 start of pro choice campaign

- initiative for decriminalization of abortion

30 years of campaigning

- **1971: initiative for constitutional amendment**
(tantamount to abortion law repeal)
→ *brakes taboo, raises public debate*
- **1975: „reasonable“ initiative**
(abortion on request in first 12 weeks of pregnancy)
→ *narrowly rejected in referendum in 1977*
- **1978: unsatisfactory compromise law**
(social reasons, 2 doctors decide + social report)
→ *massively rejected in referendum*
- **1985: anti-initiative „right to life“**
(from conception)
→ *massively rejected in referendum*



30 years of campaigning (continued)

- **1993: amendment to penal code proposed in Parliament**
(abortion on request in the early months of pregnancy)
- **March 2001: Parliament approves amendment**
(abortion on request in the first 12 weeks)
- **June 2002: amendment adopted in referendum by a majority of 72%**
On the same ballot, an anti-initiative for a total abortion ban is rejected by 82%

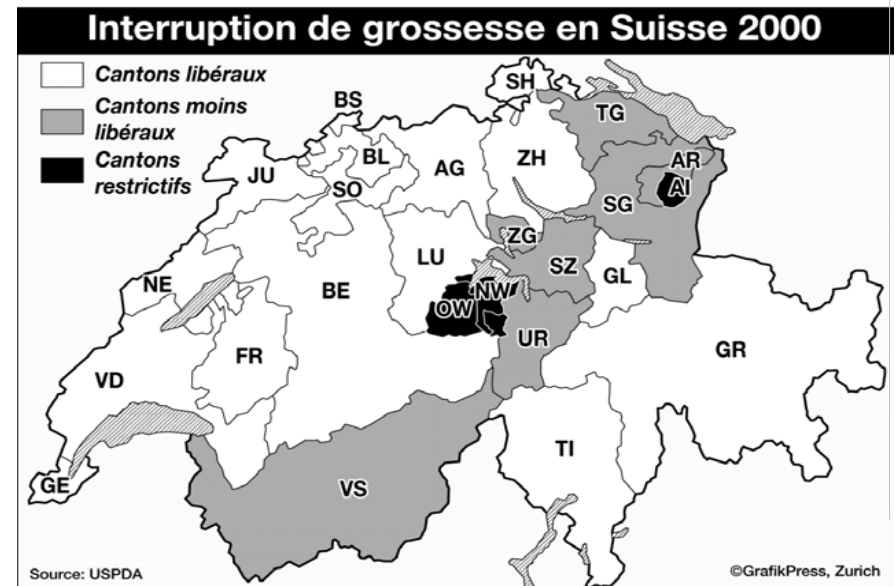
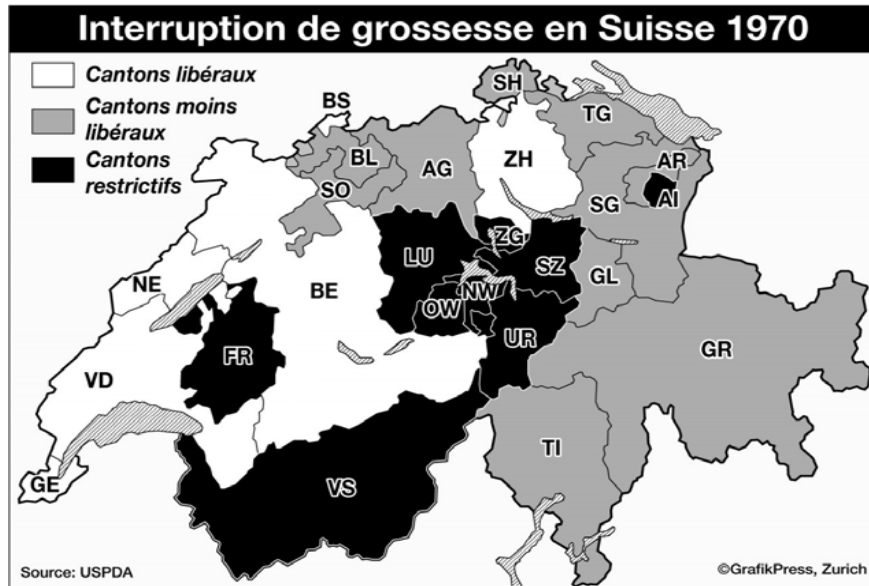


Achievements

- **gradual liberalization of the practice of abortion over a period of 30 years**
(1971-2000 = BEFORE new legislation !)
- **abortion paid by health insurance (1981)**
- **cantons have to create family planning centers (1981)**
- **sex education introduced in schools**
- **access to abortion pill (Mifepristone) in 1999**
(after another struggle for 10 years)

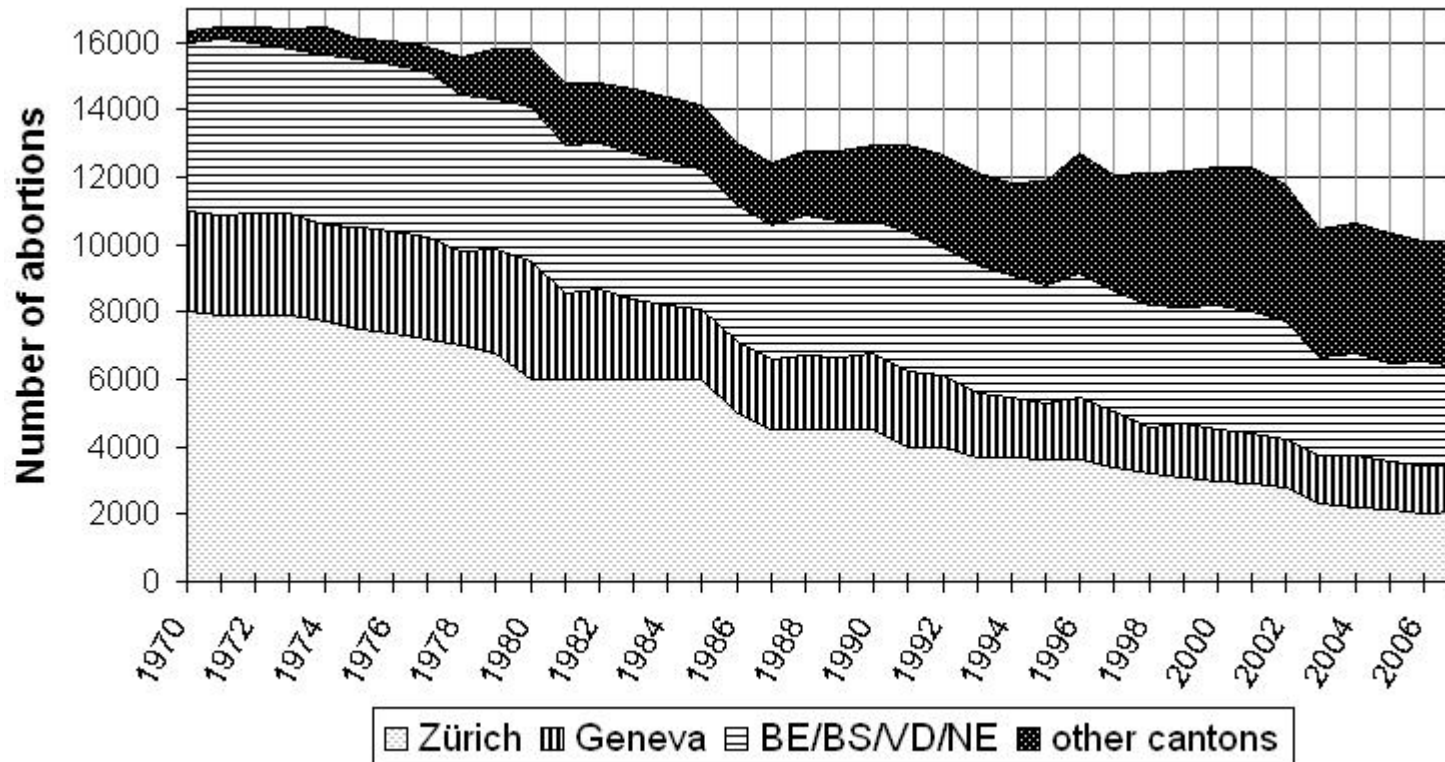
Achievements (continued)

Gradual liberalization 1971-2000



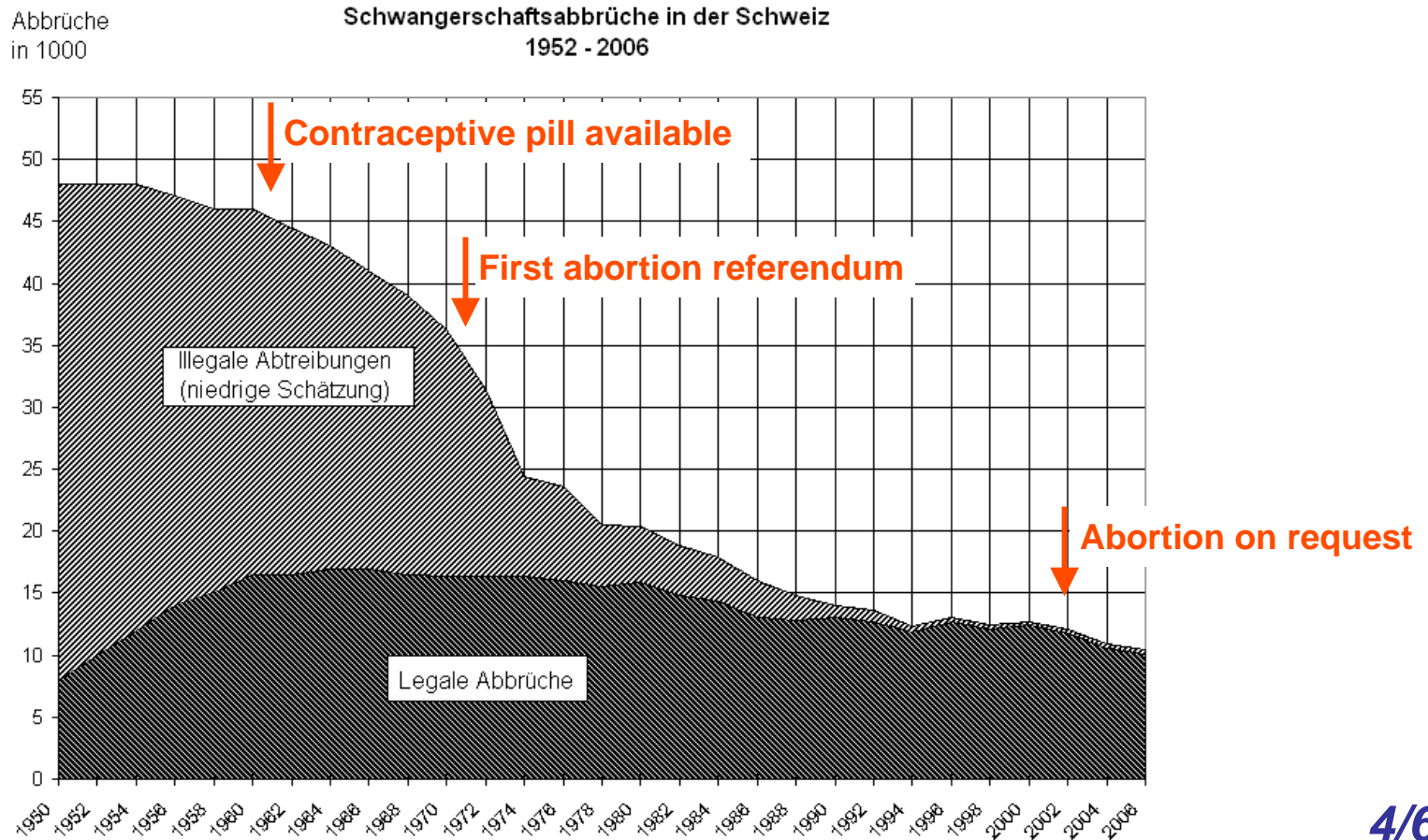
Achievements (continued)

Abortion tourism has massively declined



Achievements (continued)

Illegal abortions disappeared





Achievements (continued)

- **2002 : Abortion on request in the first 12 weeks of pregnancy, medical indication thereafter**
 - no compulsory counselling, only information by the doctor
 - no „cooling off period“,
 - no parental consent necessary
 - no time limit and no second opinion necessary for abortions for medical reasons (including severe mental distress)
 - cantons have to designate clinics and doctors authorized to perform abortions



Achievements (continued)

▪ **Weaknesses of the new legislation**

- abortion remains regulated in the penal code
- rather short time limit
- the woman has to sign that she is in a state of distress
- the doctor has to hand her out a leaflet informing about counselling centers, possibilities of financial and moral support and adoption

BUT : → *autonomous decision by the woman concerned*



Successful strategies used

- **regular and factual information to the media**
 - personal contacts
 - supplying the media with adequate pictures
- **networking, building alliances**
 - women's, youth, professional organizations, political parties
 - mobilizing and briefing them
- **lobbying of parliamentarians**
 - personal contacts, letters, information, hearings
 - intense collaboration with some of them



Successful strategies used (continued)

- **recognize beforehand what the „enemy“ might do**
- **formulate legislative texts for parliamentary committees**
- **pragmatism**
 - **readiness to compromise**
 - **moderate language**
 - **adapt our arguments to changing situation**

A responsible decision: **Yes** to abortion request

EIN VERANTWORTUNGSVOLLER ENTSCHEID.

JA

«Ich stehe zu meinem Schwangerschaftsabbruch – auch aus Solidarität mit den 700 000 Frauen in der Schweiz mit der gleichen Erfahrung.»

Doris

zur Fristenregelung am 2. Juni

Samstag 2. Juni 2007, 18:00 Uhr, www.fristenregulierung.ch, PC 38.1000



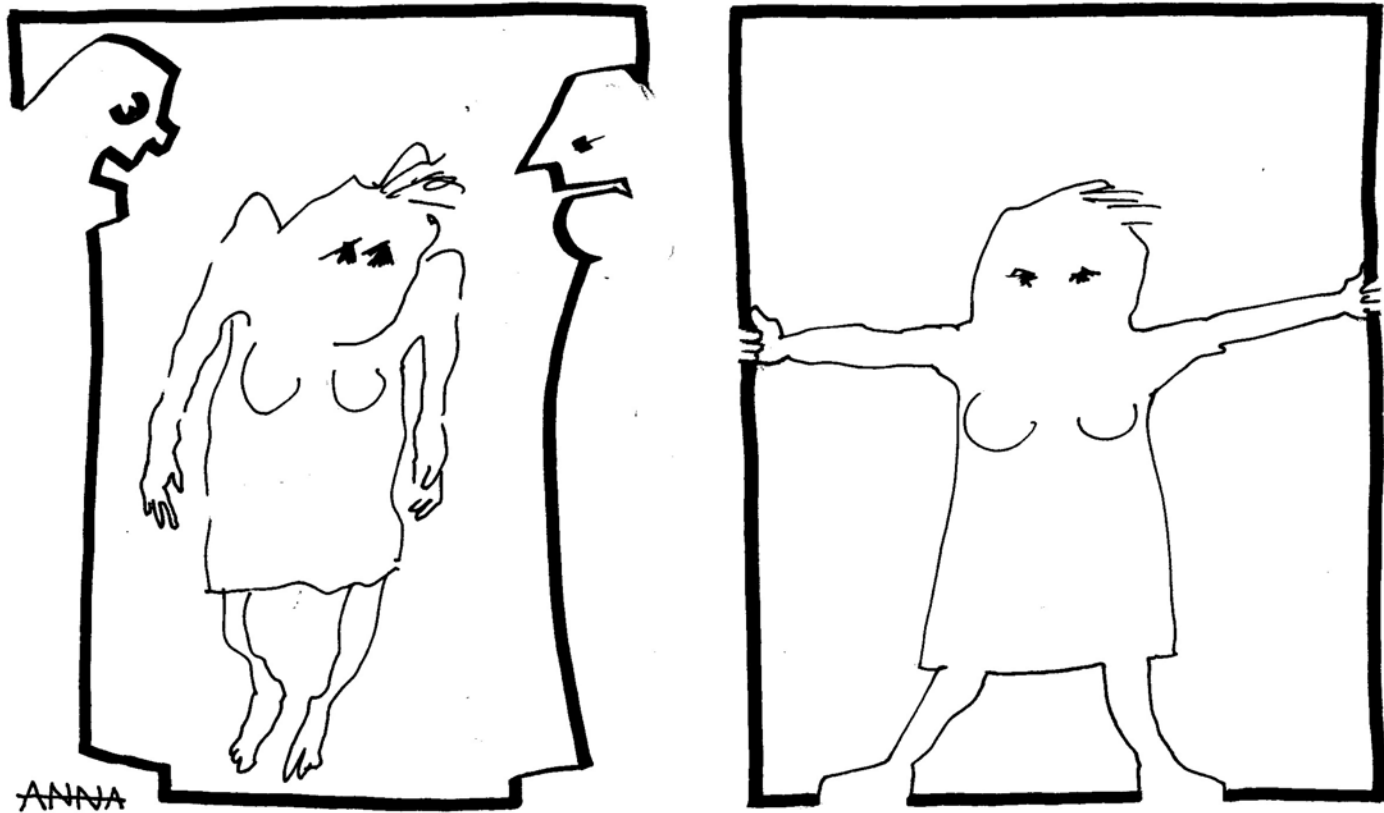
Other reasons for our success

- **Decreasing influence of religion**
- **Changing role of women in society**
- **Growing open-mindedness in matters concerning individual lifestyles and sexuality**



Conclusion

- **strategies must adapt to**
 - actual situation
 - political and religious forces present
 - strength of pro choice mobilisation
- **our experience :**
 - the battle for women's right to decide whether and when to become a mother is hard and long
 - it needs dedication and perseverance
 - every time a broad public debate arose, progress resulted
- **in the end, I think, we have the better arguments**



The denial of free choice is a violation of article 4 of the Universal Declaration of Human Rights

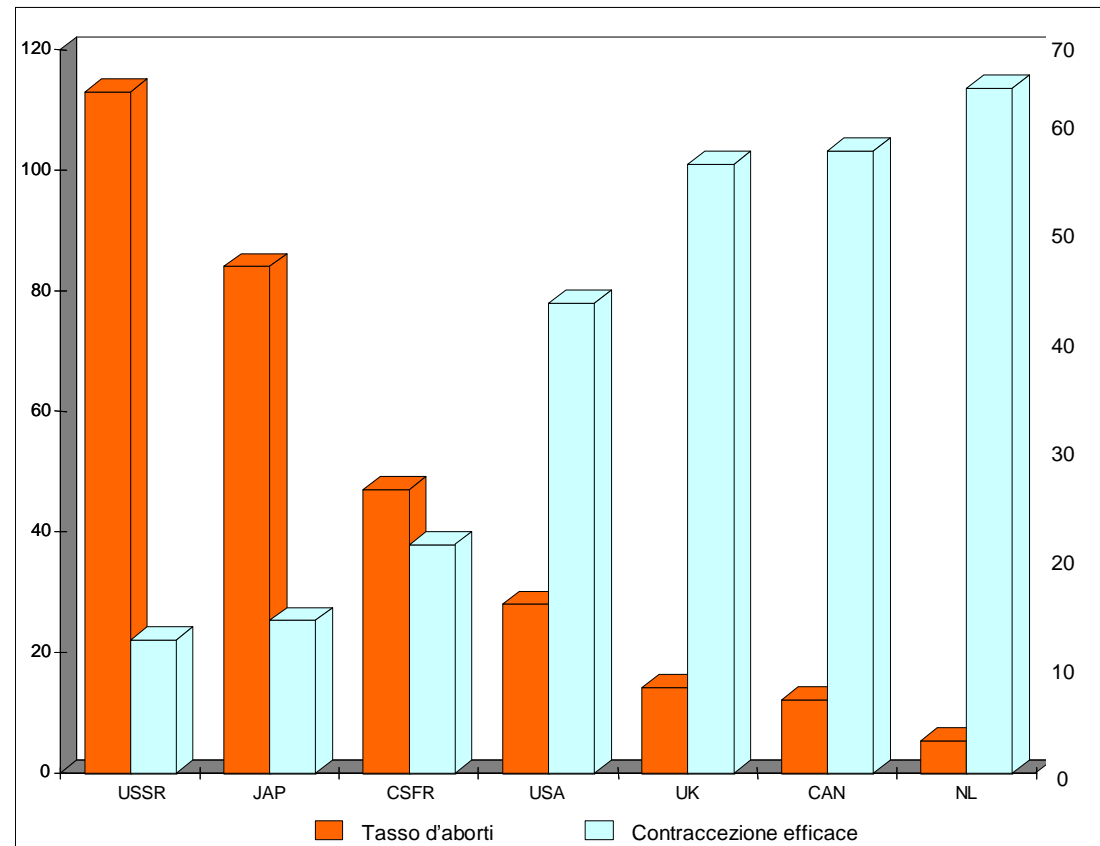


Contraception and abortion

**Effective
contraception
reduces the
abortion rate**

Tasso di aborti per 1000 donne di 15-44 anni

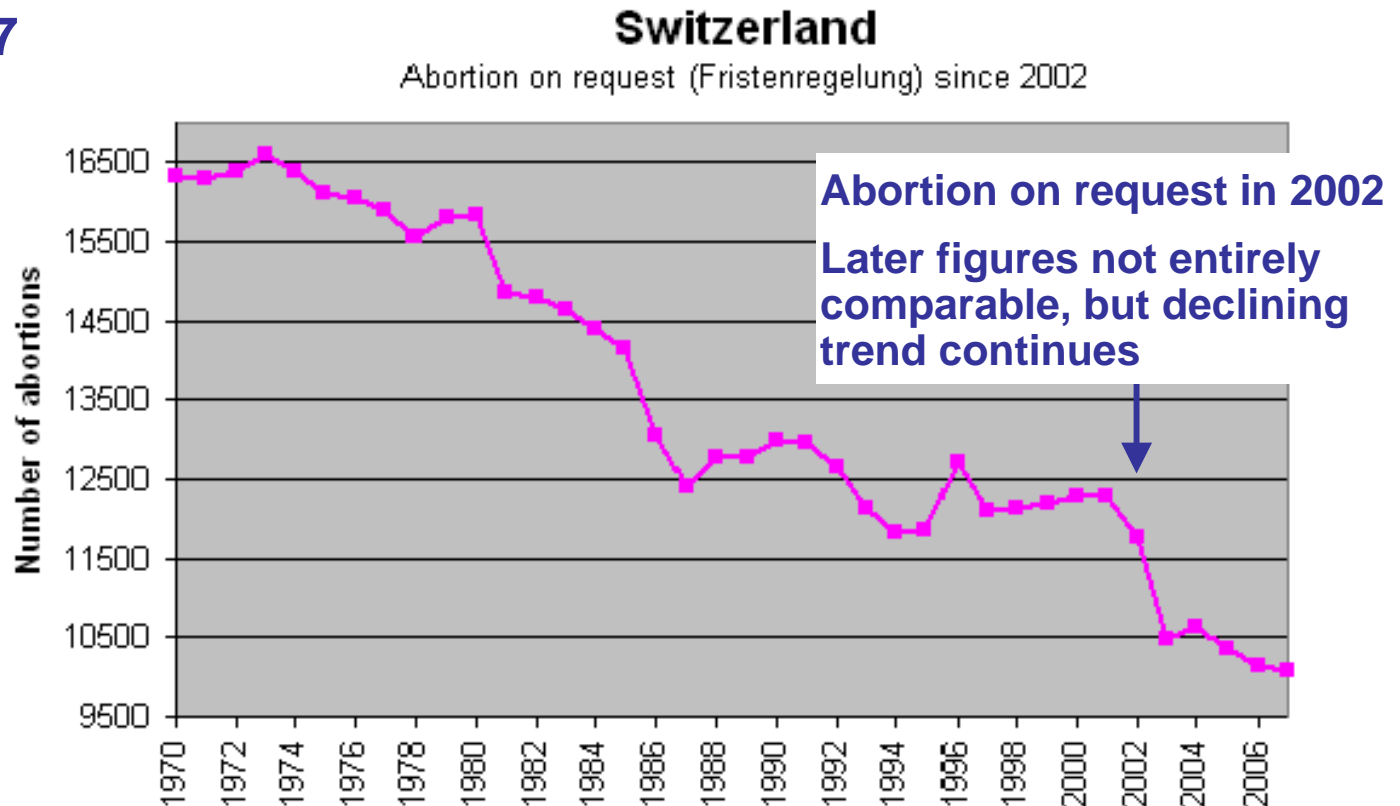
Percentuale delle donne di 15-44 anni che usano la pillola, la spirale o la sterilizzazione



Secondo Ketting / Fonti: Henshaw 1990; UNFPA 1987; Ramanick 1991; Uzal et al 1992

Number of legal abortions in Switzerland

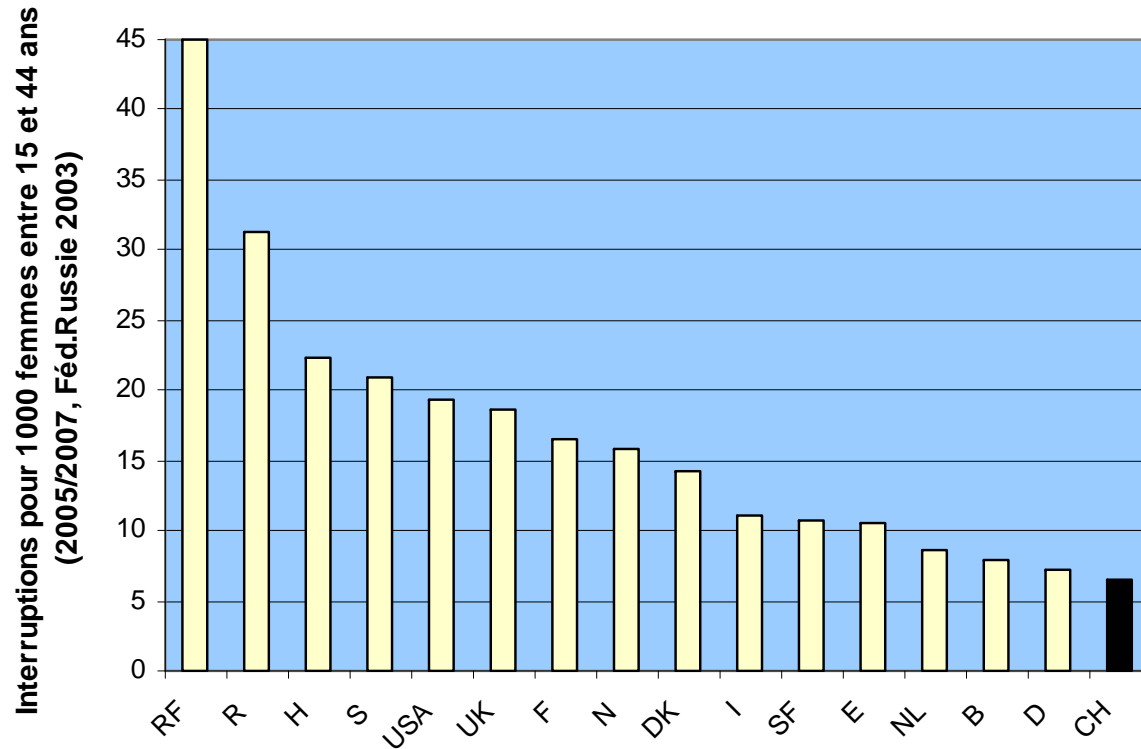
1970-2007





Switzerland has one of the lowest abortion rates in the world

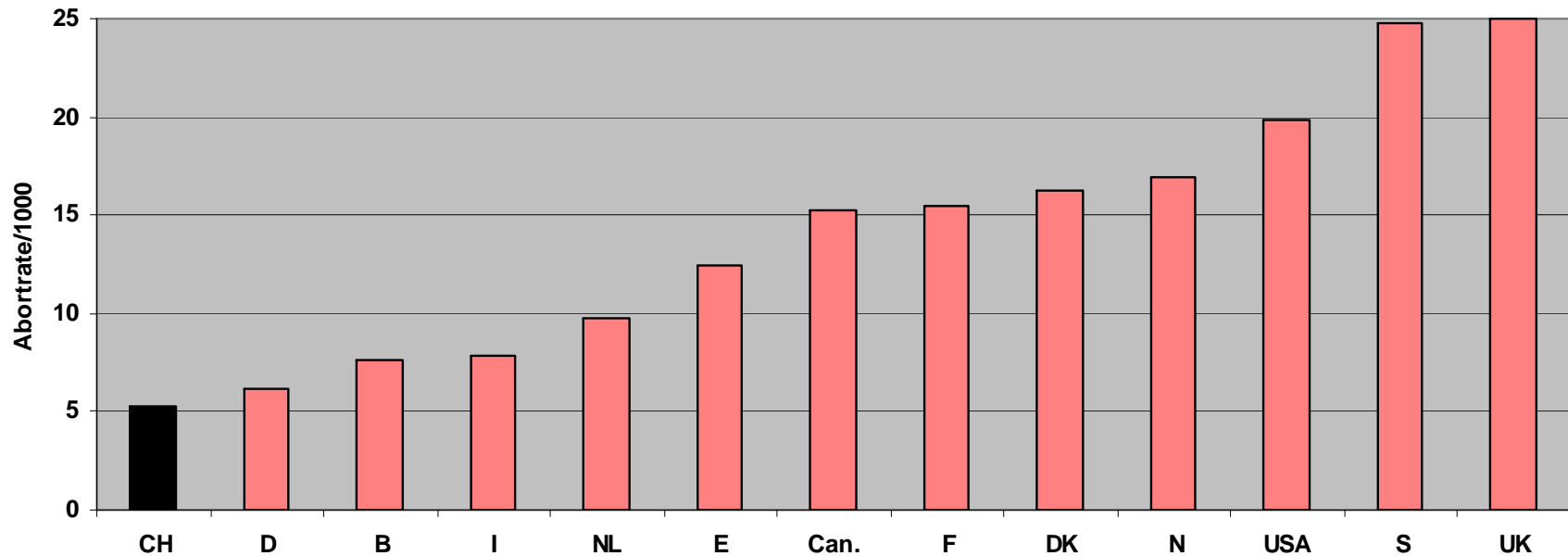
Taux d'interruptions légales de grossesse





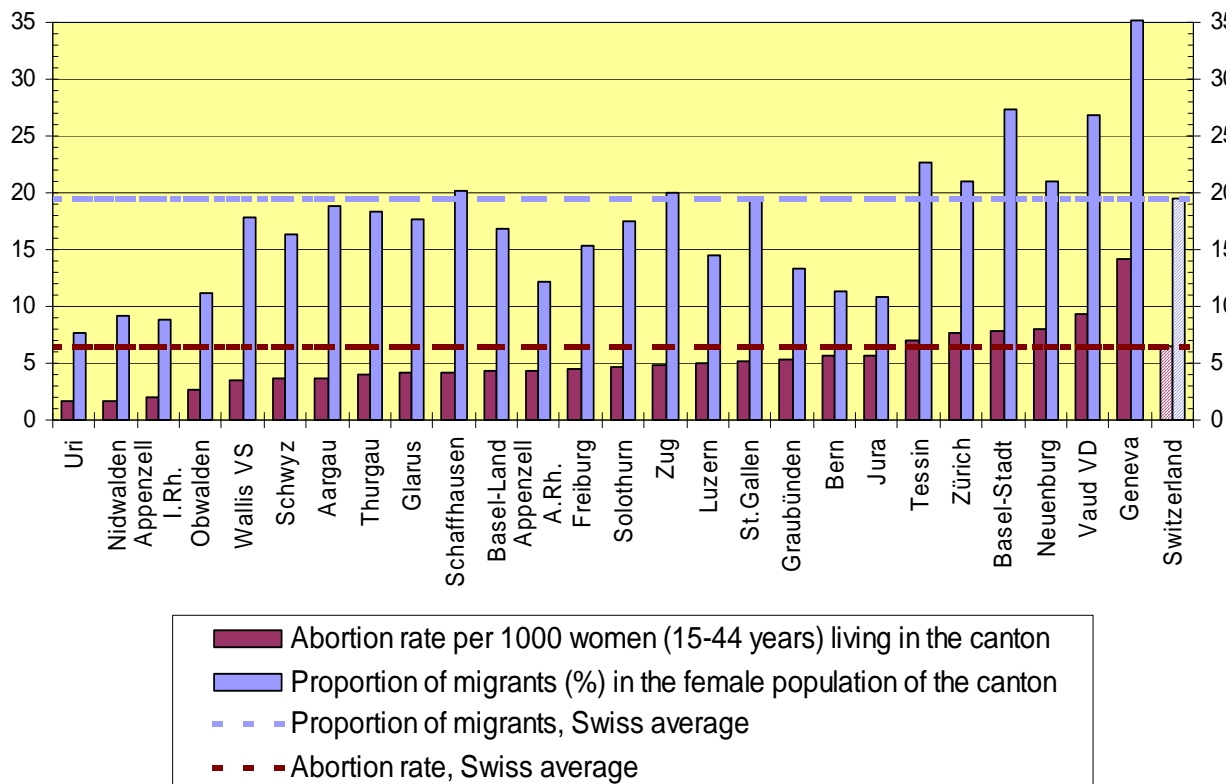
Switzerland has one of the lowest teenage abortion rates

Schwangerschaftsabbrüche/1000 15-19 Jährige
internationaler Vergleich (2004/2007)



Abortion rate is highest in urban regions with a high proportion of migrants

Abortion rate and proportion of migrants in the female population in Swiss cantons, 2007



The abortion rates are highest in cantons with high proportions of migrant population. In addition, Geneva, Vaud, Basel-Stadt and Zürich are very urban societies, also showing higher rates.

Zug in spite of a high proportion of migrants has a rather low abortion rate. This might be explained by the migrants in this rich canton generally being of higher social class and the canton being rather rural.

No obvious explanation can be found for the rather low abortion rates in VS, Schwyz, Aargau, Thurgau, Glarus Schaffhausen and St. Gallen.

Women condemned for illegal abortion in Switzerland 1946-2005

Women condemned for illegal abortion in Switzerland

